

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
Victor Benitez,

Plaintiff,
- against -

The City of New York, et al.,

Defendants.
----- x

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court having been advised that all claims asserted herein have been settled¹, it is,

ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the agreement not be consummated within thirty (30) days of the date hereof. The Court will sign a stipulation of dismissal upon receipt from either party. In light of the settlement, the January 24, 2008 Pretrial Conference is adjourned "sine die".

Dated: New York, New York
January 16, 2008

SO ORDERED



PAUL A. CROTTY
United States District Judge

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JAN 16 2008

07 Civ. 4814 (PAC) (HBP)
ORDER OF DISCONTINUANCE

¹ See attached letter dated January 14, 2008 from Matthew Flamm.

MATTHEW FLAMM

ATTORNEY AND COUNSELLOR AT LAW

26 COURT STREET, SUITE 600

BROOKLYN, NEW YORK 11242

matthewflamm@msn.com

(718) 797-3117 FAX (718) 522-2026

January 14, 2008

The Honorable Henry B. Pitman
United States Magistrate Judge
500 Pearl Street
New York, New York

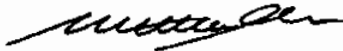
Re: Victor Benitez v. City of New York and Others
07 CV 4814 (PAC)(HBP)

Your Honor:

I represent Victor Benitez in this §1983 prisoner rights action alleging assault by Correction staff resulting in substantial physical injury.

The parties have reached a settlement. The January 24 settlement conference should be cancelled. Counsel expect to submit a settlement stipulation/order to Judge Crotty in the next ten days.

Respectfully submitted,



Matthew Flamm

cc: The Honorable Paul Crotty ✓

Brian Maxey
New York City Law Department
Attorney for Defendants

